United Nations S/2000/888

Security Council

Distr.: General
21 September 2000

Original: English

Fourth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. In its resolution 1316 (2000) of 23 August 2000, the Security Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 15 October 2000 to allow time for further diplomatic activities in support of the Lusaka Ceasefire Agreement (S/1999/815, annex).

2. In the same resolution, the Security Council requested the Secretary-General to report on progress in the implementation of the Ceasefire Agreement and relevant Council resolutions and to make recommendations for further Council action. The present report is submitted pursuant to that request and reflects developments since the Secretary-General's third report on MONUC, dated 12 June 2000 (S/2000/566 and Corr.1).

II. Political developments

3. Following the meeting on 28 July of the Political Committee established under the Lusaka Ceasefire Agreement, a summit of the Southern African Development Community (SADC) was convened in Windhoek on 7 August with a view to discussing, among other issues, ways and means to overcome the difficulties encountered in the implementation of the Agreement.

4. Subsequently, President Chiluba of Zambia convened and chaired a summit of the parties to the Lusaka Ceasefire Agreement and SADC countries, held in Lusaka on 14 August. The summit was attended by the Heads of State of the Democratic Republic of the Congo, Namibia, Rwanda, Uganda, Zimbabwe, Botswana, Malawi, Mauritius, Mozambique, Lesotho, South Africa, Swaziland and the United Republic of Tanzania. My Special Representative for the Democratic Republic of the Congo, the Secretary-General of the Organization of African Unity (OAU) and the Secretary of SADC also participated in the summit.

5. The summit, which ended in the early hours of 15 August after some 18 hours of continuous discussion, failed to make any progress on the issues referred to in paragraph 3 above, principally because of the reluctance of the Government of the Democratic Republic of the Congo to allow the deployment of MONUC troops to government-controlled territory and to accept Sir Ketumile Masire as the neutral facilitator.

6. The communiqué issued at the end of the Lusaka summit welcomed the readiness of the United Nations to commence deployment, acknowledging, at the same time, that the existing conditions in the Democratic Republic of the Congo had not made it possible for such deployment to begin. The summit recalled the guarantees that the signatories to the Lusaka Agreement had given on 23 February 2000 to ensure the safety, protection and freedom of movement of United Nations personnel, and appealed to the Government of the Democratic Republic of the Congo to cooperate fully with MONUC and to satisfy the conditions necessary for deployment. With the exception of the Government of the Democratic Republic of the Congo, the participants in the summit

00-64944 (E) 210900

reaffirmed their support for the neutral facilitator. An appeal was made to the Government of the Democratic Republic of the Congo to reconsider its position in order to ensure the speedy finalization of arrangements for the convening of the inter-Congolese dialogue.

Mission of the Special Envoy to the region

7. During the reporting period, I maintained extensive contacts with regional leaders, in particular President Chiluba. However, despite the efforts of all concerned, the peace process remained at an impasse. I therefore took the decision to dispatch a Special Envoy to the subregion to discuss with President Kabila and other regional leaders the issues outstanding.

8. After obtaining the concurrence of the Security Council, I appointed General Abdulsalami Abubakar, former Head of State of Nigeria, as my Special Envoy to undertake this challenging mission. From 20 to 24 August, General Abubakar travelled to Kinshasa, Lusaka and Addis Ababa to convey the position of the United Nations with regard to the status of the peace process in the Democratic Republic of the Congo to President Kabila, as well as to President Chiluba and the Secretary-General of OAU, Salim A. Salim.

9. During his meeting with President Kabila, my Special Envoy reaffirmed the mandate of MONUC and emphasized that the cooperation and support of the Government of the Democratic Republic of the Congo were indispensable to the successful implementation of the Lusaka Agreement. He requested the Government to cease all hostilities, extend full freedom of movement to MONUC and comply with the provisions of the status-of-forces-agreement concluded between the Government and the United Nations. My Special Envoy also stressed that the Government should cease any participation in or support for the campaign of vilification conducted against MONUC and the United Nations in the Kinshasa press. In addition, General Abubakar underscored that progress could not be made in the military aspects of the Lusaka Agreement unless the inter-Congolese dialogue were permitted to proceed. In this regard, the issue of the neutral facilitator was also extensively discussed.

10. While appreciating the firmness of the message delivered, President Kabila maintained that the obstacles to the implementation of the Lusaka Agreement were not caused by the Government the "aggressors". He criticized the inter community for closing its eyes to the problem country and to the fact that it was a vi aggression. He insisted that the invasion of his be urgently addressed and that the uninvited forces be asked by the international comm leave without delay. My Special Envoy bri members of the Security Council on his missio region on 30 August.

11. On 23 August, the day of the Special departure, the Minister for Foreign Affairs Minister of the Interior of the Democratic Rep the Congo jointly informed my Special Repres Kamel Morjane, that the Government thenceforth authorize the deployment of Nations battalions to Mbandaka, Kananga, Ki Kisangani. The ministers also advised hi relaxation of the restrictions on the Mission's of movement and authorized the deployment of United Nations military headquarters support Kinshasa, on the condition that its personne bear arms only while on duty. Subsequently, M received a note verbale dated 24 August fr Commissariat Général of the Government in ch MONUC affairs, reiterating, albeit with a so different interpretation, the above undertakings Government.

12. The measures announced by the ministe generally confirmed by the note verbale, repr only some of the specific measures my Special had put forward to President Kabila. In particu Government did not authorize the deploym MONUC specialized military units from a p troop-contributing country to government-co territory, without which other formed units ca deployed in the near future. Moreover, on the sa the above long-awaited concessions were anno another government minister made a public st suspending the Lusaka Agreement and calli direct negotiations between the Democratic Repu the Congo, Burundi, Rwanda and Uganda un auspices of the United Nations and OAU as wel direct talks between the Government and the reb

13. In a letter from President Kabila addressed dated 28 August, many of the sentiments that expressed to my Special Envoy were repeate President recalled that his country was the vi aggression. Citing the three clashes waged b

Rwandan and Ugandan troops in Kisangani, the President reiterated that the Lusaka Ceasefire Agreement had failed to address the major concerns of his Government, including putting an end to the hostilities. He believed that the Agreement was flawed and urgently needed to be adjusted. In the letter, President Kabila also stated that the problem of aggression should be "disassociated" from the issue of internal Congolese political dispensation. The President proposed an international mediation effort to help bring together the belligerent parties through direct negotiations. There was no mention of any views with regard to the deployment of MONUC.

14. The next day, however, the Permanent Representative of the Democratic Republic of the Congo addressed a letter to the President of the Security Council transmitting the position of his Government with regard to the peace process (S/2000/837, annex). The Government concluded that the Lusaka Agreement needed to be revised to reflect the new factors resulting from the fighting in Kisangani and from Security Council resolution 1304 (2000) of 16 June 2000. The Government reiterated its belief that the "war of aggression" needed to be separated from the political conflict between the Government and a number of armed Congolese factions, and repeated the proposal with regard to the direct talks with the uninvited foreign forces. In the letter of 29 August, it was also noted that the Government had decided to cut back on the "precautionary measures" taken thus far with respect to MONUC as regards both the status and movements of MONUC troops, and listed the undertakings of the Government along the lines of those given to my Special Representative by the Minister for Foreign Affairs and the Minister of the Interior on 23 August.

15. On 11 September I met with Foreign Minister Yerodia, who was visiting the United Nations as President Kabila's Special Envoy to the Millennium Summit. I took this opportunity to explain once again the position of the United Nations with regard to the deployment of MONUC, underscoring major difficulties still experienced by the Mission and my concern over the continuing ceasefire violations committed by the Government as well as by rebel forces and their allies. The Minister stated his Government's belief that MONUC troops should serve as an interposition force. When I suggested that this could be considered in the third phase of MONUC deployment, he observed that the Congolese people would not understand the reasons for such delays and could not wait in vain.

16. With regard to the inter-Congolese dialogue, Mr. Yerodia reiterated his Government's request to replace Sir Ketumile as facilitator. I urged him to consider working with a facilitation team so that the peace process could move forward, as was proposed by my Special Envoy during his visit to the region. The Foreign Minister also indicated that since, according to him, the already fragmented rebellion did not and could not exist without its external sponsors, his Government wished to engage thenceforth in a direct dialogue with the uninvited foreign forces.

17. In his contacts with senior United Nations officials during his stay in New York, Mr. Yerodia reiterated his Government's acceptance of the deployment of United Nations troops along the lines indicated in paragraphs 11 and 14 above.

Inter-Congolese dialogue

18. As indicated above, the Government of the Democratic Republic of the Congo has continued to reject the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire. After withdrawing its confidence from Sir Ketumile and requesting OAU to propose a new facilitator, the Government temporarily sealed off his Kinshasa office on 20 June. In an attempt to overcome the impasse, President Bouteflika of Algeria, in his capacity as Chairman of OAU, tried in vain to organize a mini-summit in Algiers on 4 July. Likewise, the absence of some dignitaries, including President Kabila, at the thirty-sixth ordinary session of the OAU Assembly of Heads of State and Government, held in Lomé from 10 to 12 July, frustrated efforts to address this issue at the highest level. The summit adopted a decision urging the Congolese parties, and particularly the Government of the Democratic Republic of the Congo, to extend full cooperation to the neutral facilitator. However, at subsequent meetings the Government of the Democratic Republic of the Congo indicated that it was not ready to modify its position regarding the facilitator.

19. On 25 July, the Minister for Foreign Affairs of the Democratic Republic of the Congo stated in a press conference that the decision not to cooperate with Sir Ketumile was irrevocable. Mr. Yerodia added that the

Government now considered the newly established Constituent Assembly as the appropriate forum for a national dialogue. The Assembly, whose 300 members have been appointed by president decree, was inaugurated on 21 August in Lubumbashi with the mandate to examine the draft constitution, elaborate laws on political institutions and oversee Government activities. At the Assembly's special session on 13 September in Kinshasa, the Justice Minister announced the establishment of a special parliamentary commission for the inter-Congolese dialogue.

Kisangani assessment mission

20. Pursuant to paragraph 14 of resolution 1304 (2000), I sent a mission to the Democratic Republic of the Congo from 13 to 23 August to assess the loss of life and property damage inflicted on the civilian population of Kisangani as a result of renewed fighting between Rwandan and Ugandan troops between 5 and 11 June. The mission, led by Omar Bakhet, Director of the Emergency Response Division of the United Nations Development Programme, consisted of personnel from various United Nations departments and was accompanied by United Nations agency officials based in Kinshasa. The team was also assisted by MONUC, the Office for the Coordination of Humanitarian Affairs and non-governmental organization staff based in Kisangani. The sudden death of a member of the advance party in Kisangani on 18 August delayed the arrival of the full team to the city until 22 August. Despite this regrettable event, the team was able to visit the city, conduct meetings in Kinshasa and make a preliminary assessment.

III. Military developments

Ceasefire violations

21. During the reporting period the parties continued to conduct significant military operations. Moreover, there have been indications of intensive military preparations by the parties. These include the procurement of large quantities of weapons and military equipment, extensive recruitment of young males and freed prisoners, retraining of combat units, forward deployment of battalions and reinforcement of front-line units.

22. The most intense fighting occurred in t northern part of Équateur province. After reported blocking the southern movement of elements of t Mouvement de libération du Congo (MLC) along t Ubangi River, government forces and their all pushed the MLC troops back and captured the town Imese. Thereafter, the Congolese armed forces (FA were reported to have advanced northward, capturi Dongo and reaching Libenge. However, on 4 Aug MLC claimed that it had halted the governm offensive 50 to 60 kilometres south of Libenge.

23. Following the reinforcements reportedly receiv by units of the Ugandan People's Defence Fo (UPDF), MLC launched a major counter-attack in t south of Libenge, resulting in a high number casualties. On 10 August the Government announc its unilateral decision to end its offensive. In respon MLC demanded the withdrawal of government for back to the 8 April Kampala disengagement line. Si then, reports indicate that MLC captured the town Dongo on 8 September, while FAC and its all reinforced their forces in Mbandaka. On 13 Septem the MONUC Force Commander travelled to Gbadol for a meeting with MLC Chairman Bemba in attempt to persuade him to stop the MLC offensives.

24. In a related development, the Government of neighbouring Republic of the Congo and the Cent African Republic have recently expressed alarm t fighting in the Democratic Republic of the Con especially in the immediate border areas, has affec their countries. In particular, large numbers of refug continue to enter both countries, and vital mariti traffic on the Ubangi River has been interrupt causing heavy economic losses.

25. On 21 August, the Permanent Representative the Democratic Republic of the Congo addressed letter to the President of the Security Coun (S/2000/817) in which he alleged that a large-sc offensive was being prepared by the Ugandan arm forces. The Government demanded that the Ugand and Rwandan forces be withdrawn immediately fr Kisangani and from the territory of the Democra Republic of the Congo without further delay, and t all parties abstain from any offensive action during process of disengagement and of withdrawal of fore forces.

26. Fighting on a less intense scale also occurred southern Équateur province around the town of Ikel

strategic half-way location on the road connecting Kisangani and Boende, where troops of the Rassemblement congolais pour la démocratie (RCD) and the Rwandan Patriotic Army (RPA) reportedly attempted to cut off this important outpost. In Kananga province, RCD reported a number of attacks by government forces to the south of Kabalo. MONUC has not been able to verify the accuracy of these reports, and neither side appears to have gained any major ground.

27. The military and security situation in the eastern part of the Democratic Republic of the Congo, especially in the Kivus, remained highly volatile. RCD has complained that pro-government armed groups continue to launch numerous attacks in North and South Kivu. One such attack occurred near Uvira on 9 July and resulted in the death of an international relief worker. Another serious incident took place on 10 July, when the Interahamwe and Mayi Mayi fighters reportedly attacked a camp for displaced persons at Sake, near Goma. On 26 August a grenade attack in Bukavu killed 8 and injured some 40 people. Although the armed groups responsible for these attacks are not signatories to the Lusaka Ceasefire Agreement, there are persistent reports that they receive arms and training from one of the parties.

Situation in Kisangani

28. Pursuant to resolution 1304 (2000), Rwanda and Uganda have withdrawn their forces to a distance of some 100 kilometres from the centre of Kisangani. RPA military units have moved south while UPDF military units withdrew towards the north. Persistent rumours of re-infiltration and the clandestine presence of RPA and UPDF soldiers could not be confirmed by MONUC military observers.

29. However, military and political elements of RCD have maintained control over the city. On 8 August, during a meeting with my Special Representative, RCD leaders indicated their willingness to withdraw their forces from the city in accordance with a timetable to be agreed upon with MONUC. This undertaking notwithstanding, RCD increased its military presence in Kisangani during the month of August, citing the threat of an attack by government forces.

Withdrawal of foreign forces

30. On 22 June Uganda began withdrawing five UPDF battalions from the Democratic Republic of the Congo, which it characterized as a unilateral gesture in support of the Kampala disengagement plan. The Ugandan authorities undertook to withdraw the remaining troops in accordance with the provisions of the Lusaka Ceasefire Agreement. MONUC liaison officers monitored the repatriation of the first troops who arrived in Entebbe from Buta (Orientale province) on 2 August. While UPDF officials advised MONUC that subsequent flights had taken troops to airports in central and northern Uganda, the veracity of this information could not be ascertained.

31. On 8 August Rwanda announced the return of 1,000 of its troops from the Democratic Republic of the Congo. On the same day the Government of Rwanda announced a proposal for RPA troops to disengage from certain positions on the front line in order to provide a clear and wide disengagement zone pursuant to the Kampala disengagement plan (S/2000/782, annex). The main elements of the proposal, as communicated to my Special Representative, included the redeployment of RPA forces approximately 200 kilometres from the present front line to an intermediate disengagement line defined by Kole, Bena Dibele, Lusambo, Lubao, Manao and Moba, and subsequent redeployment to a line close to the Congo River delineated by Lubulu, Punia, Kindu, Kibombo, Samba, Kongolo, Kabalo, Nyunzu and Kalemie.

32. On 28 August the Force Commander of MONUC held talks with senior Rwandan officials in Kigali and thereafter forwarded details of the disengagement initiative to the military authorities of the Democratic Republic of the Congo. The Force Commander also wrote to the acting chairman of the Joint Military Commission on 30 August providing him with details of the proposed disengagement plans and requesting that they be presented to the Commission for consideration at the earliest opportunity.

IV. Cooperation with the Joint Military Commission

33. MONUC continued to cooperate closely with the Joint Military Commission and maintained a team of liaison officers in Lusaka for that purpose. The Mission

assisted in the deployment and logistical support of regional joint military commissions in Boende (Équateur province), Kabinda (Kasai Orientale province), Kabalo (Katanga province) and Lisala (Équateur province). Current MONUC liaison officers are co-located with each regional commission. However, representatives of Rwanda, RCD and MLC have yet to deploy to the regional joint military commission in Kabinda. Also, the lack of resources has not allowed for the deployment of a regional commission to Kisangani.

34. Following the meetings of the Joint Military Commission and the Political Committee, held in Lusaka from 2 to 9 June, and in coordination with the International Committee of the Red Cross, an exchange of prisoners of war took place during the second week of June as follows: the authorities of the Democratic Republic of the Congo released 88 Rwandan prisoners; Zimbabwe released 43 Rwandan prisoners; and Rwanda released 11 Namibian and 35 Zimbabwean prisoners.

35. At the subsequent plenary meeting held in Lusaka on 26 and 27 July, the Joint Military Commission considered detailed plans for disengagement in four front-line areas: Kabalo, Kabinda, Ikela and the Kananga-Kinda road. Prior to the plenary meeting, draft proposals had been discussed and accepted in principle. The Commission was, however, not able to approve the plans after the representative of the Democratic Republic of the Congo announced that he was under instructions to withhold agreement on the demilitarization of Ikela and to leave the session unless the Commission discussed the implementation of Security Council resolution 1304 (2000). This approach caused the Commission to suspend its deliberations on the disengagement plan.

36. At a meeting of the Political Committee that followed the Joint Military Commission session, the representative of the Democratic Republic of the Congo contended that Security Council resolution 1304 (2000) recognized that his country was being occupied by foreign armed forces and that his Government would therefore be seeking a revision of the Lusaka Ceasefire Agreement as well as the mandate of MONUC. In response, the RCD and MLC movements stated their support for the Lusaka Agreement.

V. Status of deployment of the Mission

Current deployment

37. As at 15 September, MONUC had a total of liaison officers and military observers. Within Democratic Republic of the Congo, teams of mili liaison officers are deployed at the headquarters of rebel movements (Bunia, Gbadolite and Goma) and four regional joint military commissions (Boe Kabalo, Kabinda and Lisala), in addition to Kinsh Military observer teams are also stationed in six o locations (Gemena, Isiro, Kananga, Kindu, Kisan and Mbandaka). Twenty-four liaison officers stationed in the capitals of neighbouring countries.

38. MONUC continued to plan and reconnoitre sites for military observer teams, but with only lim success because of the severe restrictions imposed the Mission's movement and access. The lack o ceasefire in many areas compounded the difficulties the parties have not been disposed to allow deploym of MONUC military observers in the areas confrontation. At the beginning of September number of military observers still awaited deploym in Kinshasa because of difficulties preventing t being dispatched to field sites.

39. Despite numerous problems experienced with parties, MONUC undertook technical surveys Kisangani, Kananga, Mbandaka and Kindu to ass their suitability for the stationing of United Nati battalions. All of these locations represent signific logistical challenges and require full cooperation fr the Government and other authorities, as well as earliest release of facilities currently in use by forces occupying those locations. For various logisti and security reasons, Kindu has been found to unsuitable, and the alternative of Kalemie is un active consideration. MONUC also surveyed facilit for four sector headquarters that are required for implementation of the Kampala disengagement pl The first interim sector headquarters, with a small st of military and civilian officers, was provisiona established in Kisangani in early June. A seco interim headquarters is being set up in Kananga.

40. Notwithstanding major difficulties, MONUC up elements of a logistics base in Kinshasa to provi support for the Mission headquarters and teams locat

in the western provinces of the Democratic Republic of the Congo. An interim logistics base was also established in Goma. With the welcome cooperation extended by the Government of the Central African Republic, the Mission has made use of the facilities formerly used by the United Nations Mission in the Central African Republic (MINURCA) at the airport in Bangui, which is particularly suited for use as a staging point for the deployment of contingents and observer teams. It is anticipated that a status-of-mission agreement with the Government of the Central African Republic will be concluded in the near future.

Security of Mission personnel

41. The most serious threat facing MONUC personnel is the highly volatile confrontations between the belligerent parties. This risk became clearly evident in June in Kisangani, where unarmed MONUC personnel were caught in the middle of cross-fire between the Rwandan and Ugandan troops. Similar risks are particularly present in Équateur province. MONUC flights in this province are also vulnerable; on at least one occasion MLC threatened to shoot down United Nations aircraft for not complying with its air traffic restrictions. In Orientale province, a group of armed soldiers of the Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML) occupied the premises of the MONUC observer team in Bunia on 31 August, seeking protection from an opposing faction. While this incident was resolved peacefully, it highlighted the vulnerability of unarmed MONUC personnel.

42. In Kinshasa, MONUC headquarters often became the scene of organized demonstrations. The Mission has also been targeted by an inflammatory propaganda campaign conducted in the Kinshasa media, some members of which are known to be closely associated with the Government. Of special concern are the allegations made against individual United Nations staff members. On one occasion, after the publication of a particularly virulent article, the staff member concerned received death threats and had to be withdrawn from MONUC. The very disturbing nature of the allegations against United Nations staff, including my Special Representative, prompted the Under-Secretary-General for Peacekeeping Operations, Bernard Miyet, to write to the Minister for Foreign Affairs on 16 August to protest the campaign and request restraint.

Cooperation of the parties

43. The parties continued to impose severe restrictions on the Mission's freedom of movement. The Government of the Democratic Republic of the Congo has yet to replace the system of authorizing flights on a case-by-case basis with a system for advance notification en bloc, an arrangement that is essential for the management of the large fleet of aircraft required. Despite the decisions communicated to my Special Representative on 23 August (see para. 11 above), the new notification procedure has yet to be implemented satisfactorily. On 6 and 7 September MONUC was denied clearance to land at Mbuji Mayi. Similarly, since 8 August the military authorities in Mbandaka have refused MONUC flights permission to land or depart. As a result, the MONUC team in the city is in urgent need of resupply.

44. At the same time, MLC continues to block the Mission's efforts to deploy its team to Basankusu and, as indicated above, has imposed a flight clearance regime over northern Équateur province. For its part, the UPDF has restricted MONUC access to the airport in Lisala. On 11 and 13 September, RCD refused to provide MONUC with clearances for its scheduled flights between Goma and Kabalo.

45. Despite its numerous approaches, MONUC has been unable to obtain the necessary cooperation from local civilian and military authorities in the four locations proposed for MONUC battalions. Apart from the limited cooperation from local officials in Kisangani, none have complied with the Mission's requests for assistance in identifying suitable sites or premises. Nor have any agreements been reached on the use of airport facilities at the deployment locations.

46. As stressed in previous reports, the deployment of United Nations observers and formed units in the Democratic Republic of the Congo presents particularly acute logistical problems. The complexities and costs of the operation render it imperative that the parties respect fully the provisions of the status-of-forces agreement. It is unacceptable that, despite the signing of the agreement, MONUC is still experiencing serious difficulties involving flight clearance, direct and indirect taxes, built-in fuel charges (which may

increase the operational costs of MONUC by $10 million per year), provision of communication services and a highly unfavourable exchange rate (23.5 Congolese francs to the United States dollar compared with a market rate that is reaching 100 francs to the dollar).

Deployment of United Nations formed units

47. On 4 July the Government advised MONUC that it would not tolerate the presence of any "foreign armed groups", either in Kinshasa or in the large cities. My Special Representative sought clarification and was advised by the Minister for Foreign Affairs that the restriction was not intended to apply to all proposed United Nations contingents. On 14 July MONUC informed the Government of the impending arrival of a headquarters support unit. However, in a public statement on 21 July, President Kabila accused MONUC of being inactive and failing to protect his country from external aggression and asked the United Nations not to deploy any armed troops to Kinshasa and Mbandaka. Immediately thereafter, my Special Representative met with the Minister for Foreign Affairs, who reiterated the Government's position prohibiting the deployment of United Nations armed troops to Kinshasa or any large city in the Democratic Republic of the Congo.

48. During a meeting with my Special Representative on 23 July, President Kabila maintained the same position and spoke of a "misunderstanding" between the Untied Nations and the Government regarding the mandate of MONUC. It was the Government's view that MONUC should deploy exclusively to the rebel-controlled areas in order to accompany foreign armed forces to the border. My Special Representative explained to the President that the position of the United Nations was guided by the provisions of Security Council resolutions 1291 (2000) and 1304 (2000) regarding the freedom of movement and cooperation to be accorded to MONUC. President Kabila asked for a period of reflection to review the situation. On 27 July the Government restated its opposition to the deployment of United Nations troops on government-controlled territory. This position was confirmed when the Minister for Human Rights, in his capacity as President Kabila's Special Envoy, met with the members of the Security Council on 3 August New York.

49. In view of the restrictions imposed by t Government, MONUC was obliged to postpone t deployment of the headquarters support unit and reconnaissance team of one of the planned battalio The Government also continued to reject a potent troop-contributing country that was to provide the bu of the specialized units. Plans to deploy formed un have therefore been placed on hold.

50. Despite these developments, the Secretariat h actively continued preparations for phase deployment of MONUC by working closely w potential troop contributors. Its efforts notwithstandi the United Nations still lacks the necessary offers indispensable specialized units, especially in ca handling. In addition, some battalions that have be offered by troop contributors still require some ma equipment in order to be fully operational; I once ag appeal to potential donors to consider providing th with the necessary equipment and training.

Practical measures necessary to initia phase II deployment

51. Pursuant to the recently adopted position of Government of the Democratic Republic of the Co that it would authorize United Nations troops to dep to the four proposed cities (see paras. 11 and above), the United Nations developed a list of practi measures necessary to initiate phase II deployme which was conveyed to Foreign Minister Yerodia on September. These essential practical measures, wh are in conformity with the provisions of the status forces agreement, included full freedom of moven of MONUC, joint air safety measures at airpo provision of and access to facilities at airpo presence of MONUC air operations officers at terminals when MONUC flights are departing landing, access to river ports and facilities, granting communication licences and frequencies and resolu of the issues of the currency exchange rate and imposition of indirect taxes, as well as o indispensable requirements.

VI. Humanitarian aspects

52. The humanitarian situation in the Democratic Republic of the Congo continued to deteriorate over the past three months. The number of displaced persons is estimated by the Office for the Coordination of Humanitarian Affairs (OCHA) to have risen from 1.4 million in June to 1.8 million in mid-September, principally as a result of the clashes between Rwandan and Ugandan troops in Kisangani, intensified hostilities in the Kivus and the current fighting in northern Equateur province. In addition, the Office of the United Nations High Commissioner for Refugees reports that the number of Congolese refugees in the Republic of Congo has reached 85,000, and as many as 20,000 Congolese refugees may have fled into the Central African Republic. Humanitarian assistance could not reach a significant proportion of those refugees because of the fighting or other difficulties.

53. The United Nations High Commissioner for Refugees, Sadako Ogata, visited the Democratic Republic of the Congo from 21 to 23 June and met with President Kabila to discuss key issues in the humanitarian crisis. She stressed the human costs that the conflict has incurred and asked that the Government take this into consideration during peace negotiations.

54. The United nations humanitarian agencies have recently launched a major initiative in Equateur province to deliver urgently needed life-saving support to more than 400,000 war-affected persons. However, agencies involved in this operation are currently encountering serious problems in obtaining Government clearance to operate in southern Equateur province.

55. The number of persons estimated to be in critical need of food in the Democratic Republic of the Congo remains 16 million, or roughly 33 per cent of the country's population. The uprooting of rural populations and isolation from their traditional food sources as well as the declining economic situation continue to be the underlying causes of this troubling situation. Chronic food shortages are steadily reaching critical dimensions, most notably in displaced communities in northern Katanga province (Pweto) and southern Equateur province (Bokungu-Ikela).

56. In Kisangani, the clashes between Rwandan and Ugandan forces in early June are estimated to have resulted in the deaths of as many as 760 civilians and the displacement of some 61,000 persons. More than 1,740 injured civilians were treated in medical centres from 11 to 16 June. Among the humanitarian agencies, one staff member of Médecins sans frontières (MSF)-Belgium/Holland was killed and three United Nations staff members were injured. Unexploded mines and shells continue to pose a danger in the city and its environs. Material losses in the city include 4,000 homes damaged or destroyed and more than 60 schools and other public buildings damaged, including the Catholic cathedral and the Tshopo power plant, which were hit by shells. Buildings occupied by the United Nations Children's Fund (UNICEF) and MONUC and by MSF were also hit.

57. The Office for the Coordination of Humanitarian Affairs, the World Food Programme, UNICEF, the World Health Organization (WHO) and many non-governmental organizations have been active in responding to the crisis in Kisangani. MONUC provided air and vehicle transport for the emergency response. Donors, including the Governments of Belgium, Italy and the United States of America as well as the European Union provided timely financial assistance. A total of 170 tons of emergency food and non-food items were airlifted into Kisangani from Kinshasa and 172.5 tons were airlifted from Goma during the initial stages of the crisis, and more assistance followed.

58. The health situation in the country has also continued to decline. The war, poor sanitary conditions among displaced populations and residents and malnutrition have created a fertile ground for the outbreak and spread of numerous illnesses and infectious diseases, including sexually transmitted diseases. Women and children are among the groups most affected by the crisis. In addition to epidemic outbreaks of cholera, meningitis, dysentery and malaria, WHO has reported the emergence and re-emergence of other serious illnesses, such as haemorrhagic fever.

59. UNICEF and WHO, in conjunction with Rotary International and a number of national and international partners, launched the second consecutive nationwide polio vaccination campaign. During the first and second phases, more than 10.2 million children throughout the Democratic Republic of the Congo, representing 96 per cent of the target group, were vaccinated. Only three health zones — all located

in Équateur province — did not carry out any immunization because of the ongoing fighting between Government forces and the MLC troops. In the interior of the country, MONUC personnel assisted in the implementation of the vaccination programme. The Executive Director of UNICEF, Carol Bellamy, visited the Democratic Republic of the Congo from 10 to 13 August and took part in the launching of the second round of national immunization days in Mbuji Mayi on 11 August. The final phase of the immunization campaign was inaugurated on 15 September in Lubumbashi, Katanga province.

60. In the Kivus, the increased security risk to health personnel has forced the suspension of humanitarian operations by some agencies, further increasing the vulnerability of displaced persons and residents. Armed groups continue to attack civilians, causing numerous casualties and rendering travel in the area extremely dangerous.

VII. Human rights

61. The human rights situation throughout the territory of the Democratic Republic of the Congo continued to be cause for grave concern. Since my previous report, the situation in the rebel-controlled areas has deteriorated significantly with indications that belligerents may be pursuing a deliberate strategy to terrorize the civilian population. The situation in the eastern provinces is particularly troubling owing to the existence of myriad bands of armed militiamen, the destruction of civil society and the absence of governmental structures. The violence in the east frequently occurs along ethnic lines, particularly in Ituri and the Kivus. In this context, the high incidence of murder of women and children of Rwandan origin should be noted.

62. In September the situation in Bukavu became particularly worrisome with the arbitrary arrest and detention of four members of the Constituent Assembly and grenade explosions that killed eight people. With respect to Kisangani, the clashes between Rwandan and Ugandan troops subjected its inhabitants to extensive and indiscriminate bombing and destruction. As a result, the human rights situation there continues to rank as one of the most serious. However, on a positive note, Archbishop Kataliko was recently authorized by the RCD to return to Bukavu, seven months after being prevented from returning by RCD authorities. The four detained members of the Constituent Assembly wer reportedly released on 19 September.

63. On Government-controlled territory, despite th authorities' stated commitment to a moratorium on th death penalty and the establishment of a military cou appeals chamber, executions continued, albeit at reduced rate. There are also no indications that th military court system will be reformed. The system wa established to try cases of abuse by military and polic officers and armed robbery. However, civilians such a journalists and political opponents continue to be trie by these courts for other crimes, in violation o international law. Moreover, notwithstanding the use o death penalty sentences, defendants before militar courts have no right of appeal and, in some cases, n legal representation. Recently, a state prosecutor soug the death penalty for students convicted of the mino offence of vandalizing.

64. Another matter of concern is the recen announcement by the Minister of the Interior that th Government will prosecute for "high crimes again State security" persons not affiliated with a registere political party who make political statements. Th Director of the special branch of the national polic announced that any individual involved in unauthorize political activities would be arrested. As consequence, the leader of People's Revolutionar Movement was arrested on 22 July for calling upo President Kabila to meet with the political oppositio and participate in the inter-Congolese dialogue. Whil the leader was temporarily released to receive medica treatment on 8 August, she was reportedly sent back t prison on 12 September. Also, 10 members of th Democratic Union and the Social Progress Party hav been arrested and detained for holding party meeting These targeted restrictions on freedom of expressio and freedom of association are completely at odds wit fundamental human rights, as well as the expres requirements of the Lusaka Agreement.

65. Recently, several non-governmental organizatior concerned with human rights issued communiqu denouncing the gross violations of human rights both government- and rebel-held areas. They calle upon the Government to respect fundamental freedom and the rule of law and stated that the country's long term development depended on making human rights central concern — with human rights conceived terms of authentic political participation, credibl governmental representation and legal accountability.

66. The Special Rapporteur on the human rights situation in the Democratic Republic of the Congo, Roberto Garretón, visited the country from 13 to 26 August. He held meetings with civil, judicial and military officials, representatives of human rights organizations, non-governmental organizations, trade unions and religious and political groups and journalists. He also visited prisons and detention centres in both government- and rebel-controlled areas. Mr. Garretón observed that positive steps had been taken by the Government, including the promulgation of a decree on amnesty, which led to the release of several hundred prisoners of conscience. However, further improvements, such as military court reform, the elimination of the death penalty and ratification of the two additional protocols to the Geneva Conventions, were still being awaited.

VIII. Child protection

67. On 9 June President Kabila signed a decree banning the recruitment of children under the age of 18 into the armed forces and the deployment of child soldiers to combat zones. My Special Representative for children and armed conflict, Olara Otunnu, welcomed the new law and urged both the Government and rebel factions to begin immediately to disarm under-age combatants, remove them from the front line and return them to their homes and schools. On 15 May the RCD rebel movement also issued an instruction to establish an interdepartmental commission on the demobilization and reintegration of child soldiers in the territory under their control. However the commission has yet to be established.

68. Reports from MONUC observers indicate that the belligerent parties continue to recruit children and send them to the front line for combat duties. A serious decrease in school attendance has been reported in the eastern part of the Democratic Republic of the Congo, owing in part to the intensified recruitment practices. Parents are reported to have become reluctant to send their children to school because of the danger of forcible recruitment.

69. MONUC has continued to provide training on child protection issues to the newly arrived military observers and to inform all parties of the rights of children, including the importance of implementing immediately minimum protection measures. During this period, a MONUC child protection adviser was deployed to Goma.

IX. Exploitation of natural resources

70. In a presidential statement dated 2 June 2000 (S/PRST/2000/20), the Security Council requested the Secretary-General to establish a panel of experts on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo. Accordingly, on 31 July I addressed a letter to the President of the Security Council informing her that I intended to appoint as Chairperson of the panel Satiatou Ba-N'Daw, former Minister of Energy of Côte d'Ivoire, and that I also intended to appoint four members to the panel. The panel members assembled in New York during the week of 12 September and received the necessary briefings. The panel will be based in Nairobi, where it is expected to begin activities by the end of September.

X. Financial aspects

71. The General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the amount of $200 million to cover the Mission's immediate requirements and to enable it to initiate logistical preparations for the phased deployment of the formed military personnel. Subsequently, in its resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of $58.7 million committed for MONUC during the period ending 30 June 2000, authorized me to use, during the 12-month period beginning 1 July 2000, the amount of $141.3 million, representing the balance of the commitment authority provided for MONUC in its resolution 54/260 A.

72. As at 31 August, unpaid assessed contributions to the MONUC special account amounted to $136.4 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,434 million.

XI. Observations and conclusions

73. Over the past three months, and in particular since the adoption of resolution 1316 (2000), efforts have intensified by many concerned to put the peace

process back on track. The dedication and perseverance of regional leaders who have been working tirelessly towards this goal should be particularly acknowledged. I also welcome the presidential statement issued by the Security Council on 7 September concerning the Democratic Republic of the Congo (S/PRST/2000/28), demonstrating the importance the international community attaches to this vital issue.

74. However, I regret to inform the Security Council that there has been little progress, if any, in the implementation of the Lusaka Ceasefire Agreement. The ceasefire has been consistently violated in the intensified fighting between government and rebel and UPDF forces in northern Équateur province. The hostilities have not only imperilled the peace process, but have also spilled over into the Republic of the Congo and the Central African Republic. The two countries are extremely worried about the negative impact of the conflict on security, economic and humanitarian conditions and called for international support to improve the situation. At the same time, the highly volatile environment in the Kivus, marked by frequent and violent clashes between the RCD/RPA troops and the armed groups, also continues to be a matter of serious concern.

75. Progress in developing the disengagement plan adopted in Kampala on 8 April has been stalled since late July, when the Government of the Democratic Republic of the Congo decided to withdraw from the Joint Military Commission deliberations on this subject. This agreement has been further undermined by the recent hostilities, the large-scale recruitment and training of troops and the continuing purchase of weapons and ammunition.

76. During this period, the rebel movements intensified their attempts to achieve a united front opposing the Government of the Democratic Republic of the Congo. While MLC and RCD-Goma pursued the talks towards this end, the latest round of which was held in Gbadolite on 1 September, RCD-ML has not been involved in this process because of the persistent infighting within this faction. This was vividly demonstrated by the incident on 30 August in which an RCD-ML commander had to seek protection at the MONUC team site in Bunia.

77. At the same time, the efforts of the United Nations to assist the parties in implementing the Lusaka Agreement have been frustrated by persistent restrictions on the Mission's freedom of movement lack of compliance with the provisions of the status-of forces agreement and opposition, until recently, to th deployment of United Nations troops. In addition, propaganda campaign directed against MONUC increased concerns regarding the safety of th Mission's personnel. Following the visit of my Specia Envoy, the Government of the Democratic Republic o the Congo authorized the deployment of Unite Nations troops to some government-controlle locations and announced the relaxation of certai restrictions on the Mission's freedom of movemen These concessions, however, fell short of what wa requested and have yet to be fully implemented.

78. Moreover, the Government of the Democrati Republic of the Congo has recently questioned th validity of the Lusaka Ceasefire Agreement and ha called for its revision. While it is up to the signatorie themselves to agree to a revision of the Agreement, should be recalled that the Agreement is the basis of a relevant Security Council resolutions authorizing th presence of MONUC in the Democratic Republic of th Congo. Clarity on this fundamental issue would b indispensable for any decision on the futur deployment of United Nations troops.

79. Similarly, prospects for the early implementatio of the provisions of the Lusaka Agreement concernin the inter-Congolese dialogue have receded, owing t the refusal of one party to cooperate with th facilitator. Recent negative public statements i Kinshasa concerning the facilitator do not augur we for the resumption of the facilitation process.

80. Despite the difficulties encountered, there hav been some positive developments. Pursuant t paragraph 3 of resolution 1304 (2000), Rwandan an Ugandan forces have withdrawn from Kisangan although whether or not they have been redeployed t other areas of confrontation has yet to be ascertaine Also, the release of prisoners of war, pursuant to one the key aspects of the Lusaka Agreement, was valuable confidence-building measure undertaken b the parties. The Government of Rwanda also propose a plan for the disengagement of the Rwandan and RC forces in Kasai. It would be important that the ne meetings of the Joint Military Commission and th Political Committee, scheduled for the end September, review the situation and examine this an other proposals made within the context of the peac process. As a matter of priority, these meetings shou

also urgently address the continuing ceasefire violations.

81. The deteriorating humanitarian and human rights situation throughout the Democratic Republic of the Congo is yet another cause for grave concern. Civilians continued to pay an unacceptably high price for the conflict. It is extremely worrisome that intensive military confrontations have hindered access by humanitarian agencies to many areas, including the eastern part of the Republic of the Congo, leaving vulnerable populations without much-needed assistance. The continuing fighting and widespread insecurity have also worsened the situation of children and require sustained action aimed at protecting their rights.

82. In view of all the above-mentioned factors, I recommend that the Security Council consider extending the mandate of MONUC for a period of two months. Such an extension would signal the determination of the United Nations to remain committed to the peace process in the Democratic Republic of the Congo while at the same time indicating to all the parties that these months should be used to unequivocally demonstrate their will to move the peace process forward and to create conditions necessary for phase II deployment of MONUC. In the meantime, the United Nations will continue to make the necessary preparations for the deployment.

83. In this context, the importance of the inter-Congolese dialogue cannot be underestimated. Clearly, there will be no durable solution to the conflict without a meaningful political dialogue between the Congolese parties leading to a new political dispensation. Efforts should intensify to help overcome the current apprehensions blocking progress in this regard. Otherwise, lack of progress in the inter-Congolese dialogue could result in the fragmentation of the country, with all the consequences such a prospect would have for the whole region.

84. At the same time, disturbing reports persist regarding the illegal exploitation of natural resources in the Democratic Republic of the Congo. The profits from these illicit activities not only exacerbate the conflict but also enrich those who want to see confrontations continue. I am pleased that the expert panel on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo has been established, and look forward to receiving its report in due course.

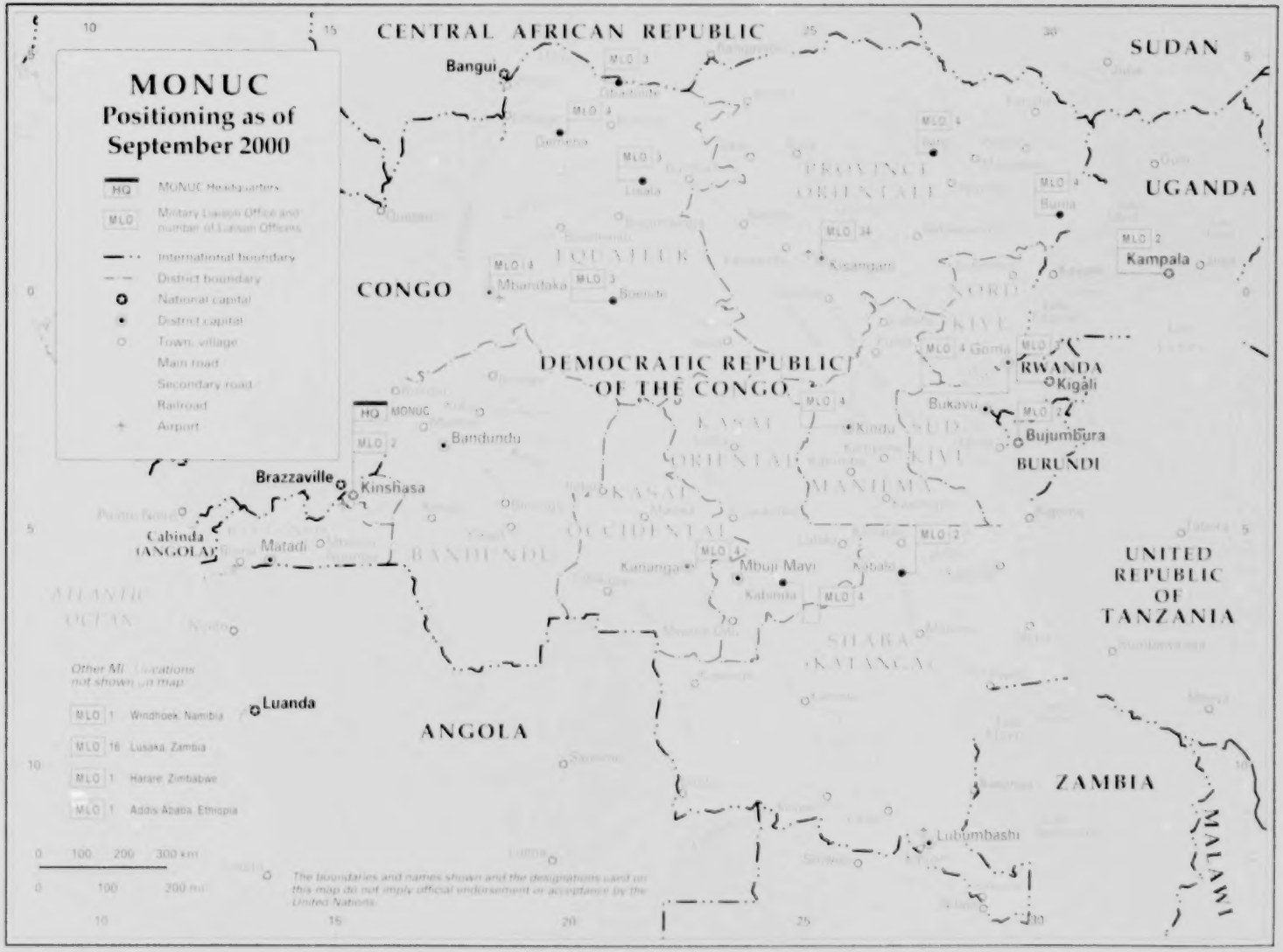
85. It is very much hoped that this short-term extension of the Mission's mandate will be used wisely by the parties to relaunch the peace process. The international community is looking for their unequivocal commitment, since the success of United Nations operations in the Democratic Republic of the Congo depends, first and foremost, on the cooperation of those directly involved. Lack of any progress in the peace process would make it difficult to justify not only the commencement of the second phase of United Nations deployment but also the continuation of the current level of the Mission's presence in the Democratic Republic of the Congo. It is clear that United Nations peacekeeping operations cannot serve as a substitute for the political will to achieve a peaceful settlement.

86. I wish to express my appreciation to my Special Representative, to the Force Commander and to the military and civilian personnel of MONUC and other United Nations personnel operating in the Democratic Republic of the Congo. Their tireless contribution to the cause of peace in that country under extremely difficult conditions is truly commendable.

Annex

United Nations Mission in the Democratic Republic of the Congo: contributions as at 15 September 2000

	Military observers	*Staff officers*	*Total*
Algeria	12	1	13
Bangladesh	9	7	16
Benin	5	3	8
Belgium		1	1
Bolivia	2		2
Burkina Faso	2		2
Canada		2	2
Czech Republic	3	1	4
Denmark	1	1	2
Egypt	12		12
France	1	2	3
Ghana	8		8
India	8	3	11
Jordan	2		2
Kenya		5	5
Libyan Arab Jamahiriya	4		4
Malaysia	2	7	9
Mali	3		3
Morocco		4	4
Nepal	9		9
Niger	2	1	3
Nigeria	6		6
Pakistan	14	13	27
Peru	3		3
Poland	1		1
Romania	11	1	12
Russian Federation	5		5
Senegal	13	17	30
Sweden	1		1
Switzerland		1	1
Tunisia	6		6
Ukraine	4		4
United Kingdom	4		4
United Republic of Tanzania	6	1	7
Uruguay	11	8	19
Zambia	9		9
Total	**179**	**79**	**258**


MONUC
Positioning as of
September 2000
HQ MONUC Headquarters
MLO Military Liaison Office and number of Liaison Officers
International boundary
District boundary
National capital
District capital
Town, village
Main road
Secondary road
Railroad
Airport
CENTRAL AFRICAN REPUBLIC
SUDAN
UGANDA
CONGO
DEMOCRATIC REPUBLIC OF THE CONGO
RWANDA
BURUNDI
UNITED REPUBLIC OF TANZANIA
ANGOLA
ZAMBIA
MALAWI
Bangui
Kampala
Kigali
Bujumbura
Bukavu
Kinshasa
Brazzaville
Cabinda (ANGOLA)
Matadi
Bandundu
Luanda
Lubumbashi
Mbuji Mayi
Kananga
Kisangani
Goma
Other MLO locations not shown on map
MLO 1 Windhoek, Namibia
MLO 16 Lusaka, Zambia
MLO 1 Harare, Zimbabwe
MLO 1 Addis Ababa, Ethiopia
0 100 200 300 km
0 100 200 mi
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.